

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF MISSISSIPPI  
OXFORD DIVISION

UNITED STATES OF AMERICA  
upon the relation and for the use of the  
TENNESSEE VALLEY AUTHORITY,  
Plaintiff,

v.

No. 3:22-cv-00085-MPM-RP

TREE-REMOVAL RIGHTS WITH  
RESPECT TO LAND IN DESOTO  
COUNTY, MISSISSIPPI, and  
BRADLEY K. LITTLE,  
UNITED STATES OF AMERICA,  
DEPARTMENT OF THE TREASURY,  
INTERNAL REVENUE SERVICE,  
Defendants.

**JUDGMENT AND ORDER DISBURSING FUNDS**

This action came on to be considered upon Plaintiff's motion for summary judgment, and the Court having determined that \$2,600 is to be awarded as total compensation for the property rights herein condemned; that Plaintiff has deposited with the registry of this Court the total amount of \$2,600, and that the disbursement of the deposited amount, plus any accrued interest thereon less the applicable registry fee, is provided for herein.

It is, therefore, **ORDERED AND ADJUDGED** that:

1. Defendants shall recover of the Plaintiff \$2,600 as full compensation for the taking of the property rights herein condemned, and the United States of America, Department of The Treasury, Internal Revenue Service shall receive all of that amount in partial satisfaction of its federal tax lien as set forth in paragraph 2.

2. The Clerk of this Court is authorized and directed to draw a check on the funds on deposit in the registry of this Court plus any accrued interest thereon less the applicable registry

fee payable to **United States of America** and to mail said check to Samuel D. Wright, Esq., Assistant United States Attorney, 900 Jefferson Avenue, Oxford, Mississippi 38655-3608, in full satisfaction of this Judgment.

3. The vesting of title in the United States of America, free of all liens, claims, and encumbrances, as evidenced by the Declaration of Taking filed herein on May 20, 2022 (Doc. 2), is hereby fully and finally confirmed with respect to the following-described property, said description being the same as in Attachment 1 to the Declaration of Taking filed herein (Doc. 2-1):

Tree-removal rights with respect to land located in DeSoto County, Mississippi described in a deed recorded in Deed Book 828, page 630, in the office of the Chancery Court Clerk of DeSoto County, Mississippi, which description is incorporated herein by reference and made a part hereof. Said rights consisting of the perpetual right to remove, cut down, destroy, and/or otherwise dispose of any trees which in falling could come within five feet of any line, structure, appurtenance, facility, or conductor (including structures and conductors being on and over adjacent land), the Tennessee Valley Authority (TVA) to remain liable for any direct physical damage to said land and fences thereon resulting from operations by and on behalf of the TVA in the exercise of said rights.

TRACT NO. MWWPH-20-CR

The perpetual right to enter at any time and from time to time the eastern portion of the land of Bradley K. Little, and trim, top, cut, clear and remove, destroy or otherwise dispose of as necessary any trees, which in falling could come within five (5) feet of any transmission line structure or conductor on the Freeport - Miller Tap to West Pleasant Hill Substation Tap to Mineral Wells Transmission Line, as shown on Drawing LW-8034, Sheet P9BB, R.0, the said land affected by the clearing rights begins at a property corner common between the lands of Bradley K. Little, and Jimmy Ray Bougard, said property corner being 88.80 feet left of survey station 105+40.39; thence leaving said point and extending northerly along the east property line of the land of Bradley K. Little to a point 89.65 feet from survey station 106+16.83, lying in NE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 32, Township 1 South, Range 6 West, of DeSoto County, State of Mississippi.

Record landowner as of the date of the filing of the Declaration of Taking — Bradley K. Little (Deed Book 828, page 630, in the office of the Chancery Court Clerk of DeSoto County, Mississippi)

4. The Clerk of this Court shall furnish to Plaintiff a certified copy of this Judgment which shall serve as a muniment of title.

**SO ORDERED**, this 13<sup>th</sup> day of January, 2023.



UNITED STATES DISTRICT JUDGE

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